

**VETERINARY EXAMINING BOARD
MINUTES
October 26, 2005**

PRESENT: Marthina Greer, DVM; JoAnn Kleman, CVT; Larry Mahr, DVM; Donald Peterson, DVM; William Rice, DVM; Robert R. Spencer, DVM; Theresa Waage

EXCUSED: Sarah Kamke

STAFF PRESENT: Tom Ryan, Bureau Director; Ruby Jefferson-Moore, Legal Counsel; PJ Monson, Program Assistant; and Division of Enforcement Staff

GUESTS: Rachel Rothschild, Assistant Dean, University of Wisconsin School of Veterinary Medicine; Leslie Grendahl, Wisconsin Veterinary Medical Association (WVMA); Yvonne Bellay, DVM, Department of Agriculture, Trade and Consumer Protection (DATCP)

CALL TO ORDER

Larry Mahr, DVM, Chair of the Board, called the meeting to order at 9:30 a.m. A quorum of 7 members was present.

Dr. Mahr welcomed new member William Rice, DVM, to the Board.

AGENDA

Additions to Agenda:

- Between Item “E & F” – Invitation to the Veterinary Technician National Examination Item Writing Training Workshop 2006
- Item “F” – Chapter Med 18 – Alternate modes of treatment
- Item “F” – Horse Massage Therapy – Equine Sports Massage Therapy – letter from Angie Olson
- Between Item “F & G” – Veterinary Clinic Pesticide Use & Repackaging Permit – renewal notice and insert
- Between Item “F&G” – Dr. Shirley Furmanski - foreign provider CE course review
- Item “H” – AAVSB Adopts New Bylaws and Amends Practice Act Model announcement
- Item “H” – Letter from Dr. Goldman, President, Connecticut Veterinary Medical Association regarding the AAVSB decision to eliminate the ability of on-the-job training for veterinary technicians
- After Item “K” - DOE Pending Case Report

MOTION: Dr. Spencer moved, seconded by Dr. Rice, to approve the agenda with additions. Motion carried unanimously.

MINUTES OF AUGUST 24, 2005

MOTION: Dr. Peterson moved, seconded by Ms. Kleman, to approve the minutes of August 24, 2005 as written. Motion carried unanimously.

Election of Vice Chair Position

MOTION: Ms. Kleman moved, seconded by Dr. Peterson, to nominate Dr. Spencer as Vice Chair of the Veterinary Examining board. Motion carried unanimously.

With no other nominations, Dr. Spencer assumed the Vice Chair position.

PRESENTATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

Scott F. Harman, DVM

Attorney Jeanette Lytle presented the Proposed Stipulation, Final Decision and Order in the matter of Scott F. Harman, DVM.

ADMINISTRATIVE REPORT

Change in hotel policy

Mr. Ryan informed the Board of the 2006 hotel policy.

Building renovation and move

Mr. Ryan reviewed the changes brought about by the renovation and move, including heightened security. Mr. Ryan also offered a tour after the meeting.

Marthina Greer, DVM, joined the meeting in progress.

VTNE request for examiners

Mr. Ryan advised the Board that the Veterinary Technician Testing Committee (VTTC) will meet for 2 days in Kansas City, MO, and that Board members may be interested in participating in the exam question re-write. Dr. Greer expressed interest in attending the VTTC as a reviewer of examination questions.

MOTION: Ms. Waage moved, seconded by Dr. Spencer, to allow Dr. Greer to participate in the VTNE review of the examination. Motion carried unanimously.

CE QUESTIONS AND ANSWERS

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Leslie G. Grendahl, WVMA, appeared before the Board to explain the Q&A document in the agenda packet. The questions listed are those routinely asked by Wisconsin veterinarians. The most frequent type of question involves the pesticide continuing education requirement. The Board discussed the one credit hour requirement for pesticide education and the courses available. The DRL website can clarify some confusion with the one credit hour pesticide requirement. A question arose regarding continuing education for individuals who hold licenses that do not renew, such as teaching/instructional permits. The Board will revisit this topic at a future meeting.

Ms. Jefferson-Moore handed out a copy of the Board's rules as a reference.

Veterinary Clinic Pesticide Use & Repackaging Permit

DATCP has revised its published material on this subject and DRL will update information included with the renewal application prior to our mailing.

SUMMARY REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES, ADMINISTRATIVE RULES AND LEGISLATION

Noted.

PRACTICE QUESTIONS

Discussion of minimum standards for advising clients on vaccination protocols and adverse reactions from a vaccine or medication

Discussion of consent implied in the signature of release forms

Discussion of both implied consent and adverse reactions ensued in unison.

Pam Stach, Division of Enforcement (DOE), discussed the information included in the agenda packet. The Board discussed verbal consent versus a signed document. Adopting a law or rule similar to Wis. Stat § 448.30 would alert veterinarians that they are required to notify clients of all viable treatment options and to document this in the file. Current law allows action against veterinarians who do not supply all viable options to their clients and/or retain documentation of this practice only under general unprofessional conduct prohibitions. The new rule will underscore the importance of this treatment practice. Written consent verifies the conversation has taken place.

MOTION: Dr. Greer moved, seconded by Dr. Peterson, to proceed with rule making with regard to record keeping, informed consent and viable treatment options. Motion carried. Dr. Spencer opposed.

MOTION: Dr. Peterson moved, seconded by Ms. Kleman, to proceed with rule making to include revisions to the CE rule as part of the rule making

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process regarding record keeping, informed consent and viable treatment options. Motion carried unanimously.

Discussion of use of reiki with animals – supervision requirements

The Board discussed reiki and asked Mr. Ryan to respond to the e-mail with a reference to the statutes and administrative code sections relating to the practice of Veterinary medicine and delegation.

Discussion of holding animals in lieu of payment

Ms. Jefferson-Moore addressed this issue, stating there is no provision in the statute regarding this topic and suggested that should she receive a question similar to this, the response would be for the caller to contact an attorney. It was noted that DOE may not be able to effectively prosecute for holding animals in lieu of payment because it is not dealt with in the statutes or rules.

Horse Massage Therapy – Equine Sports Massage Therapy

The Board discussed the letter submitted by Angie Olson regarding Equine Massage Therapy. The Board stated that the therapist must be supervised by a veterinarian if the practice is conducted as veterinary medicine. Ms. Jefferson-Moore will respond to Ms. Olson with the laws and rules relating to supervision.

Dr. Shirley Furmanski CE Review

The Board discussed Foreign Continuing Education credits obtained from an unapproved provider to address the request for approval.

MOTION: Dr. Peterson moved, seconded by Ms. Waage, to grant CE credit approval to Dr. Shirley Furmanski, subject to receipt of verification of accreditation by a suitable accrediting agency. Motion carried unanimously.

Renewal Notice/mailing

Ms. Jefferson-Moore explained the renewal notice and the CE portion of the notice. The Board made one suggestion to make it more readable. Ruby will work with the Renewal Office on this suggestion.

SUMMARY OF THE 2005 AAVSB ANNUAL MEETING

Dr. Greer referred to the documents included with the agenda and asked that the Board discuss the Program for the Assessment of Veterinary Education Equivalence (PAVE) at a future meeting.

INFORMATIONAL ITEMS

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Noted.

CLOSED SESSION

MOTION: Ms. Kleman moved, seconded by Dr. Spencer, to convene to closed session to deliberate on cases following hearing (Wis. Stat. 19.85(1)(a)), to consider licensure or discipline (Wis. Stat. § 19.85(1)(b)), to consider individual histories or disciplinary data (Wis. Stat. § 19.85(1)(f)), and to confer with legal counsel (Wis. Stat. § 19.85(1)(g)). Motion carried by a roll call vote: Marthina Greer-yes; JoAnn Kleman-yes; Larry Mahr-yes; Donald Peterson-yes; William S. Rice-yes; Robert R. Spencer – yes; Theresa Waage-yes.

Open Session adjourned at 1:32 p.m.

RECONVENE INTO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

MOTION: Ms. Kleman moved, seconded by Dr. Spencer, to reconvene into Open Session at 2:06 p.m. Motion carried unanimously.

DELIBERATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

SCOTT F. HARMAN, DVM

MOTION: Ms. Kleman moved, seconded by Ms. Waage, to adopt the Findings of Fact, Conclusions of Law, Stipulation, and Order in the matter of disciplinary proceedings against Scott F. Harman, DVM – 05 VET 050. Motion carried unanimously

CONTINUING EDUCATION REQUIREMENTS

CHARLES S. SCHOBERT, DVM REQUEST FOR EXTENSION OR WAIVER

MOTION: Dr. Peterson moved, seconded by Dr. Spencer, to approve a one-time waiver for the renewal period of 2003-2005 of the required CE in the matter of Charles S. Schobert, DVM. Motion carried unanimously.

MONITORING:

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**CHRISTOPHER WELCH
REQUESTING THREE MONTH STAY OF SUSPENSION**

MOTION: Dr. Spencer moved, seconded by Ms. Waage, to grant the three-month stay of suspension in matter of Christopher Welch, DVM. Motion carried unanimously.

CASE CLOSING

04 VET 047

MOTION: Ms. Kleman moved, seconded by Dr. Peterson, to close 04 VET 047 against Elke Rudloff for no violation and Jennifer Kohn for prosecutorial discretion (P1). Motion carried unanimously.

REMEDIAL EDUCATION

05 VET 015

MOTION: Ms. Kleman moved, seconded by Dr. Spencer, to approve remedial education in the case 05 VET 015. Motion carried unanimously.

ADJOURNMENT

MOTION: Ms. Kleman moved, seconded by Dr. Greer, to adjourn the meeting at 2:09 p.m. Motion carried unanimously.